

71-3267

MR

OLC: 78-1748/2

OCT 12 1979

MEMORANDUM FOR: Deputy Director of Central Intelligence

FROM: Legislative Counsel

SUBJECT: Your Meeting with House International Relations Subcommittee on International Organizations Chairman Donald M. Fraser (D., Minn.)

25X1 1. [ ] Action Requested: Use of the attached argumentation in responding to Chairman Fraser's requests for public release of information provided to the Subcommittee by the Agency.

25X1 2. [ ] Background: The Subcommittee's draft final report on Korean-American relations has been reviewed by the Directorate

25X1 of Operations, Don Gregg, PCS/LOC, [ ] PCS/PGL/LB, and specific sections by ORPA. It is basically a good report and favorable to the Agency, but certain of the Subcommittee staff's request for declassification of Agency information must be denied in order to protect intelligence sources and methods. Chairman Fraser has asked to meet with you in order to appeal these decisions.

25X1 3. [ ] The Chairman will contend that the material for which permission for public disclosure has been denied is essential to the Subcommittee's final report. The specific issues likely to be raised include:



Detailed argumentation on each of these points is attached.

25X1

C-3-2817

25X1 4. [ ] Section 7 of your 13 May 1977 Memorandum of Understanding with Chairman Fraser provides that:

"There will be no public disclosure of any information designated for protection from unauthorized disclosure by the Director of Central Intelligence without prior CIA security review and agreement to public disclosure."

There is no provision for further recourse by the Subcommittee when permission for public disclosure is denied. A copy of the Memorandum of Understanding is attached. The operative provision in the basic document is unaffected by the subsequent Addendum and Amendment.

25X1 5. [ ] The draft report contains information derived from and attributed to NSA. The Subcommittee staff is obtaining NSA agreement to publication of this material.

25X1 6. [ ] Chairman Fraser was defeated in his bid for the Democratic nomination for the late Senator Hubert Humphrey's Senate seat. Mr. Fraser will not be returning to the House next year. Other Democratic Members of the Subcommittee include Representatives Michael Harrington (D., Mass.), Benjamin Rosenthal (D-L, N.Y.), Lee Hamilton (D., Ind.) and Leo Ryan (D., Calif.); none of them have been active in the investigation of U.S.-Korean relations. The Minority Members are Representatives Edward J. Derwinski (R., Ill.) and William F. Goodling (R., Pa.); they have been sympathetic to the Agency's security concerns.

25X1 7. [ ] Staff Position: The attached material has been prepared by the East Asia Division of the DDO, in consultation with the Policy and Coordination Staff. It has been reviewed by my office and by the Assistant National Intelligence Officer for East Asia/Pacific.

X1 8. [ ] Recommendation: That you use the attached argumentation in responding to Chairman Fraser's requests for declassification of Agency information.

25X1

[ ]  
Frederick P. Hitz

Attachments:  
As Stated

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ROUTING AND RECORD SHEET

78-3267

SUBJECT: (Optional)

FROM:

Legislative Counsel

STAT

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TO: (Officer designation, room number, and building)

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COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

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Attached material is for your use in connection with a meeting with House International Relations Subcommittee on International Organizations Chairman Donald M. Fraser (D., Minn.). The meeting is scheduled for 12 October, at 2:00 p.m.

STAT

Frederick P. Hitz

Frank:

The arguments on points two and three seem better to me than part one.

STAT

9:15 A.M. Briefing

2 p.m. Meeting